



CANNON BUILDING  
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**BOARD OF MEDICAL LICENSURE AND DISCIPLINE**

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<b>PUBLIC MEETING MINUTES:</b>	<b>DELAWARE BOARD OF MEDICAL LICENSURE AND DISCIPLINE</b>
<b>MEETING DATE AND TIME:</b>	<b>Tuesday, May 3, 2016, at 2:30 p.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard Second Floor Conference Room A Dover, Delaware
<b>MINUTES FOR APPROVAL:</b>	June 7, 2016

**MEMBERS PRESENT**

Joseph Parise, D.O., Professional Member, President, Presiding  
Gregory Adams, M.D., Professional Member  
Barry Bakst, D.O., Professional Member  
Garrett H. Colmorgen, M.D., Professional Member  
Stephen Lawless, M.D., Professional Member  
Karyl Rattay, M.D., Professional Member  
Stephen Cooper, M.D., Professional Member  
Mary Lomax, Ed.D Public Member  
Malvine Richard, Ed.D., Public Member  
N.C. Vasuki, Public Member  
Sharon Williams-Mayo, Public Member  
Mary Ryan, Public Member  
Janice Truitt, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Patricia Davis-Oliva, Deputy Attorney General  
Shauna Slaughter, Deputy Director  
Devashree Brittingham, Executive Director  
Sandra Wagner, Administrative Specialist III

**MEMBERS ABSENT**

Georges A. Dahr, M.D., Professional Member  
Vonda Calhoun, Public Member

**ALSO PRESENT**

Carolyn Morris  
Roger Roy  
Robert Baratta

**CALL TO ORDER**

Dr. Parise called the meeting to order at 2:30 p.m.

## **REVIEW AND APPROVAL OF MINUTES**

The board reviewed the April 5, 2016 executive session and regular meeting minutes for approval. Dr. Colmorgen moved, seconded by Dr. Cooper to approve both sets of minutes with a correction to add Ms. Truitt to the list of members present at the April 5, 2016 meeting. Motion unanimously carried.

## **UNFINISHED BUSINESS**

### **Results of Executive Session Discussion**

Dr. Colmorgen moved, seconded by Dr. Lawless, that the board having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not precede further and that the following investigation be closed as noted without prosecution. Motion unanimously carried.

Closed

10-10-15

Dr. Colmorgen moved, seconded by Dr. Cooper that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not precede further and that the following investigations be closed as noted without prosecution. Motion unanimously carried.

Letter of Concern

10-20-15, 10-36-14, 10-24-16

Dr. Colmorgen moved, seconded by Dr. Lawless that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not precede further and that the following investigations be closed as noted without prosecution. Motion unanimously carried.

Closed

10-21-15, 10-27-15, 10-29-15, 10-57-15, 10-58-15, 10-140-15, 10-167-14

### **PTD Hearing – Ader Benoit M.D. – 3:00 p.m.**

Ms. Brittingham advised the board that the proposal to deny hearing for Dr. Ader Benoit, M.D., was rescheduled for the June 7, 2016 meeting.

### **RTSC Hearing – Beth Schubert, M.D. – 3:00 p.m.**

At 3:02 p.m., Dr. Parise called the Rule to Show Cause hearing to order for Dr. Beth Schubert, M.D. Dr. Schubert was not present for her hearing. The Board introduced themselves for the record with Dr. Colmorgen and Dr. Rattay recusing themselves. Verbatim testimony was recorded electronically. Ms. Davis stated the purpose of the hearing. The Division's Notice of Rule to Show Cause Hearing was marked as Board Exhibit 1 for the record and Reliant Behavioral Health's Report of Substantial Non-Compliance was marked as Board Exhibit 2. Ms. Brittingham, was sworn in and answered questions from Ms. Davis and the Board. The Board began deliberations at 3:09 p.m. At the conclusion of their deliberations, Dr. Cooper moved, seconded by Dr. Bakst, that Dr. Schubert's license be placed on suspension until she complies with the Board's February 2, 2016 order. Motion carried with seven (7) approving, four (4) opposing and two (2) recusing. The hearing concluded at 3:17 p.m.

Discussion Regarding Language for Telemedicine Regulations

Ms. Davis advised the Board of changes she drafted to the Board's Telemedicine Regulations 19.0. Ms. Davis added language clarifying 19.2 that audio-only interaction does not meet the standards of establishing a patient-physician relationship pursuant to 24 Del C. Section 1769D(h)(4). Regulation 19.4 was added to address diagnosis. Audio and visual communication must be live, real time communications for diagnosis. The Board discussed adding language that would prohibit the prescribing of opioids and controlled substances when using telemedicine in order to protect the physician and public from overprescribing and prescription drug abuse.

Review and Consider Order for PTD Hearing for Dr. Nilay Shah

An order for Dr. Shah was circulated for board members' signatures. Mr. Vasuki abstained.

Consider Candidates for Physician Appointment to the APRN Committee

The Board reviewed a letter of interest and resume from Dr. Neil Kay, M.D., P.A. and Dr. Mary Diamond, D.O. for consideration to serve on the APRN Committee. Dr. Rattay moved, seconded by Mr. Vasuki, to appoint Dr. Kay to the Committee. Motion unanimously carried.

The Board decided to hold Dr. Diamond's CV and letter of interest for consideration of future appointment to the APRN Committee. The Board discussed the need for a variety of specialties to be represented on the Committee rather than two physicians with the same specialty. Dr. Bakst moved, seconded by Dr. Cooper, to hold Dr. Diamond's CV and letter of interest for consideration of future appointment to the Committee. Motion unanimously carried.

**NEW BUSINESS**

Telemedicine Presentation - Carolyn Morris, Director of Telehealth Planning & Development

Ms. Morris, Director of Telehealth Planning & Development addressed the Board with a short presentation on telehealth, telemedicine and the various delivery methods. The Board had follow up questions regarding outcome data and cost savings data for programs already in place. Ms. Morris will provide the data available on outcomes and the benefits of cost savings.

Approve Applications for Registration and Licensure

M.D.'s for Licensure

Dr. Colmorgen moved, seconded by Ms. Richard to approve the following medical doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

Apar Bains	Sandeep Chennadi	James Costanzo	Farida Malik	Arthur Meyers
Jennifer Ng	John Schneider	Neha Soares	John Toton	Jeremy Berberian
Xiaoli Chen	David Manoff	Ismael Matus	James Rickards	Scott Davis
SuJung Park	Javeed Siddiqui	Patrick Sobande	Michael Fox	Bahar Dasgeb
Stephen Pomeranz	Avni Pandya	Michelle Naps	Louis Spagnoletti	Armin Barekatin
Justin Glasgow	Colin Greineder	Kimberly Nhu-Mai Hoang		Patricia Wai-Yin Lo
Ismet Lukolic	Maria Nagori	Suzanne Pavlou	Craig Price	Rahul Somvanshi
Deepa Bhanot	Omar Garcia	Mehran Langroudi	Nalini Marino	Nilay Shah

Sasha Stiles

Shanshan Bao

Shara Bialo

Amit Doshi

D.O.'s for Licensure

Dr. Parise moved, seconded by Dr. Cooper, to approve the following osteopathic doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

Theodora Kay-Njemanze  
Steven Urbaniak  
William Forsythe

Annie Lim  
Jason Weinberger  
Valerie Cohen

Caroline Snowberger  
Julia Cullen

Physician Assistants for Licensure

Dr. Parise moved, seconded by Dr. Cooper, to approve the following Physician Assistants for licensure as noted below. Motion unanimously carried.

Megan Milligan  
Jeanne Devine

Jacqueline Freebery  
Srivatsa Kowsika

Katherine Peisochenske

Physician Assistants for Prescriptive Authority – Controlled and Non-Controlled

Dr. Parise moved, seconded by Dr. Cooper to approve the following Physician Assistants for controlled and non-controlled prescriptive authority as noted below. Motion unanimously carried.

Lefteria Mealy

Respiratory Care Practitioners

Dr. Parise moved, seconded by Dr. Colmorgen, to approve the following Respiratory Care Practitioners for licensure as noted below. Motion unanimously carried.

Meredith Adams  
Tiffany Johnson  
Laura Wagstaff

Allison Baron  
Gabriela Luna Luna

Brooke Brinn  
Timera Ragland

Russell Duet  
Tiyesha Taylor

Paramedics

Dr. Colmorgen moved, seconded by Dr. Richards to approve the following Paramedics for licensure as noted below. Motion unanimously carried.

Seth Cotner

Nicholas Horn

Genetic Counselors

Dr. Colmorgen moved, seconded by Dr. Parise to approve the following Genetic Counselors for licensure as noted below. Motion unanimously carried.

Emily Umscheid

Lara Elizabeth Bagby

Jeanne Devine

Polysomnography Practitioners

Dr. Parise moved, seconded by Dr. Colmorgen, to approve the following Polysomnography Practitioners for licensure as noted below. Motion unanimously carried.

Stacey R. Borkowski

Alicia S Carbonaro

Arzu R Pettit

Review Application for Jeffery Allgaier, M.D. - Requires Waiver due to DUI

The Board reviewed the application for Jeffery Allgaier, M.D., Dr. Adams moved, seconded by Dr. Lawless, to grant a waiver for licensure. Motion unanimously carried.

Request to Withdraw Application from Jonathan Williams, D.O.

Dr. Williams requested to withdraw his application for consideration as he no longer required a Delaware license. Dr. Rattay moved, seconded by Dr. Adam, to withdraw the application as requested by Dr. Williams. Motion unanimously carried.

Complaint Notifications from Other States/State Licensing Authority

Ms. Brittingham advised the Board that the Division's Investigative Supervisor requested the Board to consider allowing the Division's Investigative Unit the ability to use their investigative discretion when their unit receives a complaint that does not rise to a level of a violation of the Board's law. The Board requested a short written proposal of the Investigative Supervisor's request with specific examples of such complaints. The matter was tabled for next month's meeting pending the Investigative Supervisor's written proposal.

Update on Attendance at the Federation of State Medical Boards Meeting in San Diego, CA

Ms. Slaughter attended the annual Federation of State Medical Boards Meeting in San Diego, CA and updated the Board on topics discussed at the conference. Ms. Slaughter specifically discussed the opioid, substance abuse and addiction epidemic as well as the medical interstate licensure compact that 12 states have now enacted legislation to adopt the compact. Ms. Slaughter will provide additional information on the compact as it becomes available.

Other Business before the Board (For Discussion Only)

The following APRNs were granted prescriptive authority:

Prescriptive Authority Listing				
Name	License Number	License Type	License Issue Date	Prescriptive Authority Issue Date
Angell, Terry James	LG-0000928	Family NP	04/20/16	04/20/16
Blackiston, Brenda L. Dickson	LG-0000930	Family NP	04/28/16	04/28/16
Ganley, Jamie L	LJ-0000310	Pediatric NP	04/15/16	04/15/16
Mathew, Mini	LG-0000931	Family NP	04/28/16	04/28/16
Okudele, Oluyemisi Abosede	LG-0000929	Family NP	04/20/16	04/20/16
Smith, Holly A. Alexander	LG-0000927	Family NP	04/08/16	04/08/16
Tepner, Lesley A. Webber	LV-0000111	Adult/Gerontology CNS	11/17/15	11/17/16
Wells, Michelle L. Sirman	LP-0000153	Adult/Gerontology NP	01/21/16	04/12/16
Nie, Ann Marie Cobb	LG-0000918	Family NP	03/02/16	04/13/16

#### Joint Sunset Committee's Public Comment Overview

Ms. Davis advised the Board they were under Joint Sunset Committee review and that public comment was received and sent directly to the legislative committee. Ms. Davis reviewed the public comments with the Board and advised she would communicate a response back the individuals that the comments were received from and no legislative changed was required as a result of the comments received.

Ms. Davis will be drafting a bill addressing the recommendations made by Joint Sunset Committee. It will include language to clarify existing Board regulations.

#### Public Comment

None

#### Next Meeting Date

The board will hold their next meeting on Tuesday, June 7, 2016, at 2:30 p.m., in the 2<sup>nd</sup> floor Conference Room "A" of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

#### Adjournment

There being no further business before the board. Dr. Colmorgen moved, seconded by Dr. Lawless, to adjourn. Motion unanimously carried. The meeting adjourned at 4:37 p.m.

Respectfully submitted,



Devashree Brittingham, MBA  
Executive Director